

C. L. G. Administrative Instructions 2019
RESTRICTED

Approved For Release 2006/11/06 : AFRDP01-00728300010024-7

STATINTL

RESTRICTED

CENTRAL INTELLIGENCE AGENCY
Washington, D. C.

STATINTL

ADMINISTRATIVE INSTRUCTION
NUMBER [redacted]

10 October

STATINTL SUBJECT: Employment Review Board and Procedures

(This rescinds Administrative Instruction [redacted] dated
31 July 1947).

1. Sub-paragraph (c) of Section 102, National Security Act of 1947 (Public Law 253 - 80th Congress), is quoted below:

"Notwithstanding the provisions of section 6 of the Act of August 24, 1942 (37 Stat. 555), or the provisions of any other law, the Director of Central Intelligence may, in his discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable in the interests of the United States, but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission."

2. This section was enacted to enable the CIA to maintain high personnel standards essential to a national intelligence agency.

3. To provide an impartial review, and advice to the Director in the just and equitable exercise of his discretionary power under the Act quoted above, an Employment Review Board is hereby appointed to consist of:

Executive Director	-- Chairman
Chief, Advisory Council	-- Member
Chief, ICAPS	-- Member
Executive for Administration and Management	-- Member and Recorder
General Counsel	-- Law member without vote
Executive for Inspection and Security	-- Advisor to the Board without vote
Each Assistant Director	-- Alternate members to sit with the Board at the discretion of the chairman should three regular voting members not be available.

4. a. Every case involving involuntary termination of a CIA employee will be forwarded by the head of the appropriate Office or Staff Section to the Chief, Personnel Branch, A&M, together with all applicable reports of investigation and other pertinent records.

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b. If the Chief, Personnel Branch, determines that final administrative action by his office is not feasible, he shall immediately forward the record directly to the Board for its consideration.

c. At the time records are forwarded to the Board the Chief, Personnel Branch, will notify the individual concerned that he is suspended from duty under the provisions of this memorandum due to failure to meet the high CIA standards for its employees, and will include in the notice the following information:

(1) The case will be considered by the Board within two weeks after date of the notice.

(2) Inquiries in connection with suspension notices should be made to the Chief, Personnel Relations Division, Personnel Branch.

(3) The employee may submit to the Personnel Relations Division, Personnel Branch, a written statement to be considered by the Board or a request to appear in person before the Board. No individual will be brought to Washington at government expense to appear before the Board.

d. Suspension notices will be sent by registered mail to the home address of the individual being suspended, requesting return receipt.

5. The Executive for Inspection and Security may refer directly to the Board any case arising within the scope of his functions. He will immediately inform the Chief, Personnel Branch, of such reference and the basis therefor, requesting suspension and notification of the individual concerned as provided by paragraph 4 above.

6. The Chief, Personnel Branch, will:

a. Ascertain at the earliest practicable date, the names of suspended individuals who desire to make statements in person before the Board and will arrange a schedule for such appearances directly with the Board recorder.

b. Forward directly to the Board recorder written statements received from suspended employees.

7. The Board will give full consideration to each case, including voluntary written or verbal statements of individuals concerned, and such additional evidence as may be deemed necessary, and prepare a written recommendation to the Director. The recommendation will be signed by each voting member of the Board, noting concurrence or non-concurrence in each case. Any member including the Law member and the Advisor may append an individual signed comment. The complete

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record of each case considered by the Board will be attached to the Board's recommendations for the information of the Director.

8. The Director's determination in each case will be final. If his decision is to terminate employment, notice of separation to the Civil Service Commission will state only that separation is accomplished by order of the Director under authority granted by sub-paragraph (c) of Section 102 of the National Security Act of 1947, without further amplification.

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[Redacted]
R. H. HILLENKOETTER
Rear Admiral USN
Director of Central Intelligence

DISTRIBUTION: To All CIA Employees

RESTRICTED

CENTRAL INTELLIGENCE AGENCY
Washington, D. C.

STATINTL

ADMINISTRATIVE INSTRUCTION
NUMBER [redacted]**RESTRICTED**

14 November 1947

STATINTL

SUBJECT: Employment Review Board and Procedures

(This rescinds Administrative Instruction [redacted]
dated 10 October 1947)

1. Sub-paragraph (c) of Section 102, National Security Act of 1947 (Public Law 253 - 80th Congress), is quoted below:

"Notwithstanding the provisions of section 6 of the Act of August 24, 1912 (37 Stat. 555), or the provisions of any other law, the Director of Central Intelligence may, in his discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable in the interests of the United States, but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission."

2. This section was enacted to enable the CIA to maintain high personnel standards essential to a national intelligence agency.

3. To provide an impartial review, and to advise the Director in the just and equitable exercise of his discretionary power under the Act quoted above, an Employment Review Board is hereby appointed to consist of:

Executive Director	-- Chairman
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Executive for Administration and Management	-- Member
General Counsel	-- Law member without vote
Executive for Inspection and Security	-- Advisor to the board without vote
Assistant to the Executive Director	-- Recorder without vote
Assistant to the Chief, Advisory Council	-- Alternate Recorder without vote
Each Assistant Director	-- Alternate members to sit with the Board at the discretion of the chairman should three regular voting members not be available,

(3489)

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4. a. Every case involving involuntary termination of a CIA employee will be forwarded by the head of the appropriate Office or Staff Section to the Chief, Personnel Branch, A&M, together with all applicable reports of investigation and other pertinent records.

b. (1) If the Chief, Personnel Branch, determines that final administrative action by his office is not feasible, he shall immediately forward the record directly to the Board for its consideration.

(2) The Board will make a preliminary review of each case and determine whether, in its opinion, there is sufficient evidence to warrant formal board proceedings and recommendations to the Director. If formal board proceedings are not considered feasible, the chairman will return the records to the Chief, Personnel Branch, stating, over his signature, that in the opinion of the Board there is not sufficient evidence to warrant Board action in the case.

(3) If the evidence presented is considered sufficient for formal Board proceedings, the Chief, Personnel Branch, will be informed in writing by the chairman of the Board, who will instruct him to place the individual concerned on leave under the provisions of this directive (with pay to the extent of accrued leave and without pay in excess thereof), and transmit to him a written notice including the following information:

(a) That information has been presented to the Employment Review Board indicating the possibility that the termination of his employment with CIA may be necessary under the provisions of the law quoted in paragraph 1 of this directive.

(b) That his case will be considered by the Board within ten days after date of notification. (In cases of individuals who are employed by CIA in other than the Washington area, the period of time will be extended to three weeks to enable the individual concerned either to appear at his own expense or to submit a written statement for consideration).

(c) Inquiries in connection with suspension notices should be made to the Chief, Personnel Relations Division, Personnel Branch.

(d) The employee may submit to the Personnel Relations Division, Personnel Branch, a written statement to be considered by the Board or a request to appear in person before the Board. No individual will be brought to Washington at government expense to appear before the Board.

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(e) The employee may resign voluntarily under circumstances indicated below:

- (1) At any time prior to the Director's action on recommendations of the Board.
- (2) When resignation is not submitted prior to the Director's action, and the Director determines that employment should be terminated, the Director may authorize that the employee be afforded a further opportunity to resign within 48 hours after receipt of notification to that effect. In such circumstances, if resignation is not submitted within the indicated period, employment will be terminated under the authority quoted in paragraph 1 above.

(f) When circumstances permit, more specific basis for Board action will be specified by the chairman of the Board to be included in the notice to the employee concerned.

c. The notices specified above will be sent by registered mail to the home address of the individual being placed on leave under these circumstances, with return receipt requested.

d. Prior to the dispatch of notices to individuals, the head of the office or staff section in which the individual concerned is employed will be notified personally, either verbally or in writing, by the Chief, Personnel Branch, of the action initiated.

5. The Executive for Inspection and Security may refer directly to the Board any case arising within the scope of his functions. In such cases action will be taken by the Board in the same manner as for cases covered under paragraph 4 above except that records which are returned by the chairman on the basis of insufficient evidence will be returned directly to the Executive for Inspection and Security.

6. The Chief, Personnel Branch, will:

a. Ascertain at the earliest practicable date, the names of individuals placed on leave under the provisions of this directive who desire to make statements in person before the Board, and will arrange a schedule for such appearances directly with the Board recorder.

b. Forward directly to the Board recorder written statements received from individuals placed on leave under the provisions of this directive.

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- 4 -

7. In those cases where formal proceedings are decided on, the Board will give full consideration to each case, including voluntary written or verbal statements of individuals concerned, and such additional evidence as may be deemed necessary, and prepare a written recommendation to the Director. The recommendation will be signed by each voting member of the Board, noting concurrence or non-concurrence in each case. Any member including the Law member and the Advisor may append an individual signed comment. The complete record of each case considered by the Board will be attached to the Board's recommendations for the information of the Director.

8. The Director's determination in each case considered formally by the Board will be final. If his decision is to terminate employment, notice of separation to the Civil Service Commission will state only that separation is accomplished by order of the Director under authority granted by sub-paragraph (c) of Section 102 of the National Security Act of 1947, without further amplification.

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[Redacted]
R. H. HILLENKOETTER
Rear Admiral, USN
Director of Central Intelligence

DISTRIBUTION: To all CIA employees

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CENTRAL INTELLIGENCE AGENCY
Washington, D.C.

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ADMINISTRATIVE INSTRUCTION
NUMBER [redacted]

14 November 1947

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2. This section was enacted to enable the CIA to maintain high personnel standards essential to a national intelligence agency.

3. To provide an impartial review, and to advise the Director in the just and equitable exercise of his discretionary power under the Act quoted above, an Employment Review Board is hereby appointed to consist of:

Executive Director	-- Chairman
Chief, Advisory Council	-- Member
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Executive for Administration and Management	-- Member
General Counsel	-- Law member without vote
Executive for Inspection and Security	-- Advisor to the board without vote
Assistant to the Executive Director	-- Recorder without vote
Assistant to the Chief, Advisory Council	-- Alternate Recorder without vote
Each Assistant Director	-- Alternate members to sit with the Board at the discretion of the chairman should three regular voting members not be available.

(5590)

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4. a. Every case involving involuntary termination of a CIA employee will be forwarded by the head of the appropriate Office or Staff Section to the Chief, Personnel Branch, A&M, together with all applicable reports of investigation and other pertinent records.

b. (1) If the Chief, Personnel Branch, determines that final administrative action by his office is not feasible, he shall immediately forward the record directly to the Board for its consideration.

(2) The Board will make a preliminary review of each case and determine whether, in its opinion, there is sufficient evidence to warrant formal board proceedings and recommendations to the Director. If formal board proceedings are not considered feasible, the chairman will return the records to the Chief, Personnel Branch, stating, over his signature, that in the opinion of the Board there is not sufficient evidence to warrant Board action in the case.

(3) If the evidence presented is considered sufficient for formal Board proceedings, the Chief, Personnel Branch, will be informed in writing by the chairman of the Board, who will instruct him to place the individual concerned on leave under the provisions of this directive (with pay to the extent of accrued leave and without pay in excess thereof), and transmit to him a written notice including the following information:

(a) That information has been presented to the Employment Review Board indicating the possibility that the termination of his employment with CIA may be necessary under the provisions of the law quoted in paragraph 1 of this directive.

(b) That his case will be considered by the Board within ten days after date of notification. (In cases of individuals who are employed by CIA in other than the Washington area, the period of time will be extended to three weeks to enable the individual concerned either to appear at his own expense or to submit a written statement for consideration).

(c) Inquiries in connection with suspension notices should be made to the Chief, Personnel Relations Division, Personnel Branch.

(d) The employee may submit to the Personnel Relations Division, Personnel Branch, a written statement to be considered by the Board or a request to appear in person before the Board. No individual will be brought to Washington at government expense to appear before the Board.

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(e) The employee may resign voluntarily under circumstances indicated below:

(1) At any time prior to the Director's action on recommendations of the Board.

(2) When resignation is not submitted prior to the Director's action, and the Director determines that employment should be terminated, the Director may authorize that the employee be afforded a further opportunity to resign within 48 hours after receipt of notification to that effect. In such circumstances, if resignation is not submitted within the indicated period, employment will be terminated under the authority quoted in paragraph 1 above.

(f) When circumstances permit, more specific basis for Board action will be specified by the chairman of the Board to be included in the notice to the employee concerned.

c. The notices specified above will be sent by registered mail to the home address of the individual being placed on leave under these circumstances, with return receipt requested.

d. Prior to the dispatch of notices to individuals, the head of the office or staff section in which the individual concerned is employed will be notified personally, either verbally or in writing, by the Chief, Personnel Branch, of the action initiated.

5. The Executive for Inspection and Security may refer directly to the Board any case arising within the scope of his functions. In such cases action will be taken by the Board in the same manner as for cases covered under paragraph 4 above except that records which are returned by the chairman on the basis of insufficient evidence will be returned directly to the Executive for Inspection and Security.

6. The Chief, Personnel Branch, will:

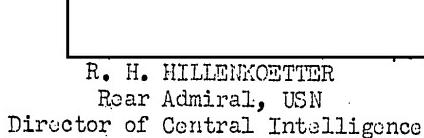
a. Ascertain at the earliest practicable date, the names of individuals placed on leave under the provisions of this directive who desire to make statements in person before the Board, and will arrange a schedule for such appearances directly with the Board recorder.

b. Forward directly to the Board recorder written statements received from individuals placed on leave under the provisions of this directive.

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7. In those cases where formal proceedings are decided on, the Board will give full consideration to each case, including voluntary written or verbal statements of individuals concerned, and such additional evidence as may be deemed necessary, and prepare a written recommendation to the Director. The recommendation will be signed by each voting member of the Board, noting concurrence or non-concurrence in each case. Any member including the Law member and the Advisor may append an individual signed comment. The complete record of each case considered by the Board will be attached to the Board's recommendations for the information of the Director.

8. The Director's determination in each case considered formally by the Board will be final. If his decision is to terminate employment, notice of separation to the Civil Service Commission will state only that separation is accomplished by order of the Director under authority granted by sub-paragraph (c) of Section 102 of the National Security Act of 1947, without further amplification.



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R. H. HILLENKOTTER
Rear Admiral, USN
Director of Central Intelligence

DISTRIBUTION: To all CIA employees

STATINTL

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CENTRAL INTELLIGENCE AGENCY
Washington, D. C.

*Recd. 10-10-47*ADMINISTRATIVE INSTRUCTION
NUMBER

10 October 1947

STATINTL SUBJECT: Employment Review Board and Procedures

(This rescinds Administrative Instruction dated
31 July 1947)

1. Sub-paragraph (c) of Section 102, National Security Act of 1947 (Public Law 253 - 80th Congress), is quoted below:

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2. This section was enacted to enable the CIA to maintain high personnel standards essential to a national intelligence agency.

3. To provide an impartial review, and advice to the Director in the just and equitable exercise of his discretionary power under the Act quoted above, an Employment Review Board is hereby appointed to consist of:

Executive Director	-- Chairman
Chief, Advisory Council	-- Member
Chief, ICAPS	-- Member
Executive for Administration and Management	-- Member and Recorder
General Counsel	-- Law member without vote
Executive for Inspection and Security	-- Advisor to the board without vote
Each Assistant Director	-- Alternate members to sit with the Board at the discretion of the chairman should three regular voting members not be available.

4. a. Every case involving involuntary termination of a CIA employee will be forwarded by the head of the appropriate Office or Staff Section to the Chief, Personnel Branch, A&M, together with all applicable reports of investigation and other pertinent records.

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b. If the Chief, Personnel Branch, determines that final administrative action by his office is not feasible, he shall immediately forward the record directly to the Board for its consideration.

c. At the time records are forwarded to the Board the Chief, Personnel Branch, will notify the individual concerned that he is suspended from duty under the provisions of this memorandum due to failure to meet the high CIA standards for its employees, and will include in the notice the following information:

(1) The case will be considered by the Board within two weeks after date of the notice.

(2) Inquiries in connection with suspension notices should be made to the Chief, Personnel Relations Division, Personnel Branch.

(3) The employee may submit to the Personnel Relations Division, Personnel Branch, a written statement to be considered by the Board or a request to appear in person before the Board. No individual will be brought to Washington at government expense to appear before the Board.

d. Suspension notices will be sent by registered mail to the home address of the individual being suspended, requesting return receipt.

5. The Executive for Inspection and Security may refer directly to the Board any case arising within the scope of his functions. He will immediately inform the Chief, Personnel Branch, of such reference and the basis therefor, requesting suspension and notification of the individual concerned as provided by paragraph 4 above.

6. The Chief, Personnel Branch, will:

a. Ascertain at the earliest practicable date, the names of suspended individuals who desire to make statements in person before the Board and will arrange a schedule for such appearances directly with the Board recorder.

b. Forward directly to the Board recorder written statements received from suspended employees.

7. The Board will give full consideration to each case, including voluntary written or verbal statements of individuals concerned, and such additional evidence as may be deemed necessary, and prepare a written recommendation to the Director. The recommendation will be signed by each voting member of the Board, noting concurrence or non-concurrence in each case. Any member including the Law member and the Advisor may append an individual signed comment. The complete

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- 3 -

record of each case considered by the Board will be attached to the Board's recommendations for the information of the Director.

8. The Director's determination in each case will be final. If his decision is to terminate employment, notice of separation to the Civil Service Commission will state only that separation is accomplished by order of the Director under authority granted by sub-paragraph (c) of Section 102 of the National Security Act of 1947, without further amplification.

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[Redacted]
R. H. HILLENKOETTER
Rear Admiral USN
Director of Central Intelligence

DISTRIBUTION: To All CIA Employees

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STATINTL
YC O P Y
MEMORANDUM
NUMBER

RESTRICTED

AII

31 July 1947

Subject: Employment Review Board

EFFECTIVE WITH ESTABLISHMENT OF CIA

1. Sub-paragraph (c) of Section 102, National Security Act of 1947 (Public Law 253 - 80th Congress), is quoted below:

"Notwithstanding the provisions of section 6 of the Act of August 24, 1912 (37 Stat. 555), or the provisions of any other law, the Director of Central Intelligence may, in his discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable in the interests of the United States, but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission."

2. This section was enacted to enable the CIA to maintain high personnel standards essential to a national intelligence agency.

3. To provide an impartial review, and advice to the Director in the just and equitable exercise of his discretionary power under the Act quoted above, an Employment Review Board is hereby appointed to consist of:

Executive Director	--	Chairman
General Counsel	--	Law Member
Executive for Administration and Management	--	Member and Recorder
Executive for Inspection and Security	--	Advisor to the Board without vote

4. Every case involving involuntary termination of a CIA employee will be forwarded by the head of the appropriate Office or Staff Section to the Chief, Personnel Branch, A&M, together with all applicable reports of investigation and other pertinent records. If the Chief, Personnel Branch, determines that final administrative action by his office is not feasible, he shall immediately forward the record directly to the Board for its consideration. The individual concerned will be notified that for stated reasons he is suspended from duty and the date on which the Board will consider his case. Such date will normally be not less than ten days later than the date of the notice. Inquiries of employees concerned must be addressed to the Chief, Personnel Relations Division, Personnel Branch, A&M.

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5. The Executive for Inspection and Security may refer directly to the Board any case arising within the scope of his functions. He will immediately inform the Chief, Personnel Branch, of such reference and the basis therefor, requesting suspension and notification of the individual concerned as provided by paragraph 4 above.

6. After full consideration of each case, including such additional evidence as may be required, the Board will prepare a written recommendation to the Director containing a summary of the facts and basis for the recommendations. Each voting member shall note his concurrence or non-concurrence on the record of the Board's proceedings. Any member, including the Executive for Inspection and Security, may append his individual comments.

7. The Director's determination in each case will be final. If his decision is to terminate employment, notice of separation to the Civil Service Commission will state only that separation is accomplished by order of the Director under authority granted by sub-paragraph (c) of Section 102 of the National Security Act of 1947, without further amplification.

SIGNED

R. H. HILLENKOETTER
Rear Admiral, USN
Director of Central Intelligence

ATTACHMENTS: NONE

DISTRIBUTION: All CIG employees

CONFIDENTIAL
UNDER WILL-CIRCLE CLASSIFICATION TOP AND BOTTOM) SECRET

CENTRAL INTELLIGENCE AGENCY
OFFICIAL ROUTING SLIP

TO	INITIALS	DATE
1 Gen Counsel	MM	11/12/
2 Exec for D & S		
3 Chief Pers Bu, A & M Counsel	SGJ	
4		11/2/47
5		

FROM	INITIALS	DATE
1 Exec for A & M	103	6 Nov
2		
3		

APPROVAL INFORMATION SIGNATURE
 ACTION DIRECT REPLY RETURN
 COMMENT PREPARATION OF REPLY DISPATCH
 CONCURRENCE RECOMMENDATION FILE

REMARKS: Please expedite. Related papers are attached. 103

SECRET CONFIDENTIAL UNCLASSIFIED

FORM NO. 30-4 SEP 1947

RESTRICTED CONFIDENTIAL SECRET
UNDER WILL-CIRCLE CLASSIFICATION TOP AND BOTTOM)

CENTRAL INTELLIGENCE AGENCY
OFFICIAL ROUTING SLIP

TO	INITIALS	DATE
1 Ex for A & M		
2		
3		
4		
5		

FROM	INITIALS	DATE
1 Ex for I & S	SE	11/12/47
2		
3		

APPROVAL INFORMATION SIGNATURE
 ACTION DIRECT REPLY RETURN
 COMMENT PREPARATION OF REPLY DISPATCH
 CONCURRENCE RECOMMENDATION FILE

REMARKS: Concur w/ Basic paper
and w/ comments G

SECRET CONFIDENTIAL RESTRICTED UNCLASSIFIED

FORM NO. 30-4 SEP 1947

STATINTL

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D R A F T

6 Nov 47

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ADMINISTRATIVE INSTRUCTION
NUMBER [redacted]

14 Nov 47

STATINTL

SUBJECT: Employment Review Board and Procedures

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(This rescinds Administrative Instruction [redacted] dated 10 Oct. 1947)

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4. b. (1) If the Chief, Personnel Branch, determines that final administrative action by his office is not feasible, he shall immediately forward the record directly to the Board for its consideration.

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(3) If the evidence presented is considered sufficient for formal Board proceedings, the Chief, Personnel Branch, will be informed in writing by the chairman of the Board, who will instruct him to place the individual concerned on leave ~~with pay~~ under the provisions of this ~~memorandum~~ and transmit to him a written notice including the following information:

(a) That information has been presented to the Employment Review Board indicating the possibility that the termination of his employment with CIA may be necessary under the provisions of the law quoted in paragraph 1 of this ~~memorandum~~.

(b) That his case will be considered by the Board within ten days after date of notification. (In cases of individuals who are employed by CIA in other than the Washington area, the period of time will be extended to three weeks to enable the individual concerned either to appear at his own expense or to submit a written statement for consideration).

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*(with pay to the extent of accrued leave
and without pay in excess thereof)*

submitted

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4. b. (3) (f) When ~~circumstances permit~~, more specific basis for Board action will be specified by the chairman of the Board to be included in the notice to the employee concerned.
- c. The notices specified above will be sent by registered mail to the home address of the individual being placed on leave under these circumstances, with return receipt requested.
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8. The Director's determination in each case considered formally by the Board will be final. If his decision is to terminate employment, notice of separation to the Civil Service Commission will state only that separation is accomplished by order of the Director under authority granted by sub-paragraph (c) of Section 102 of the National Security Act of 1947, without further amplification.

R. H. HILLENKOETTER
Rear Admiral, USN
Director of Central Intelligence

DISTRIBUTION: To all CIA employees

RESTRICTED

SECRETINTEL

Revised to fit
new instructions
being published.
DS
13 Nov

SUBJECT: Procedure Covering Employee Review Board Actions

The following procedure will be followed by the Personnel Branch in handling Employment Review Board cases which are referred to this office by the Executive for Inspection and Security.

The Executive for Inspection and Security notifies the Chief, Personnel Branch, when he is referring specific cases to the Employee Review Board for their consideration and recommendation. Upon receipt of this memorandum from I&S, the Personnel Branch will forward the individual concerned a letter advising him that he is suspended for a maximum period of 30 days during which time the Board will review his case and make its recommendation to the Director. Attached to this letter will be a form letter to the Chief, Personnel Relations Division, on which the individual concerned may notify this office of his desire to (1) appear personally before the Board, (2) submit written data and information relative to his case, or (3) decline the opportunity for either of the above. At the time this notification is forwarded to the employee, the Chief, Budget and Finance Branch, the Executive for Inspection and Security and the Assistant Director concerned will be notified personally and by hand-carried memorandum from the Chief, Personnel Branch.

Approximately twelve days after the notification has been issued, the Employee Review Board will consider all factors relative to the case and forward their recommendations to the Director. Any information received by the Personnel Relations Division will be forwarded to the Executive Secretary of the Board prior to their meetings. If the employee wishes to appear before the Board, the Chief of the Personnel Relations Division will ascertain the date of the hearing and will notify the employee of the time and place of the hearing.

During the interim period, if a suspended employee desires to resign, the preferred resignation will be accepted and processed by the Personnel Branch. Proper notification of such action will be made to all concerned by the Chief, Personnel Relations Division. After all factors relative to the individual cases have been considered and the Board has made its recommendation to the Director, the Executive Secretary will advise the Chief, Personnel Branch, of the Director's decision.

- 2 -

Upon receipt of the decision, the Personnel Relations Division will (1) advise the employee, the Finance Branch, the Executive for Inspection and Security and the Assistant Director concerned of the action for individual cases, and (2) retain complete records of the individual actions in the Personnel Relations Division.

Personnel Branch
Room 115, North Building
2430 E Street, N. W.
Washington, D. C.

Attention: Chief, Personnel Relations Division

This is to acknowledge receipt of your letter
dated _____, and to inform you that I desire:

appropriate blocker
(Please check one)

- 1) To appear in person before
the Employment Review Board
at (state alternate dates and)
 hours
- 2) To submit in writing all
factors pertaining to my
case for consideration
by the Employment Review
Board. Statement will be mailed or
delivered not later than
a statement
- 3) Neither of the above. (date)
74)
- 4) To resign. Signed resignation
is attached or will be mailed or delivered not later than
Very truly yours,
- 5) (If not on duty in Washington, D.C.) (date)
I understand that no expense to
the government can be incurred for
my travel to Washington in
connection with this matter.

RESTRICTED**CONFIDENTIAL****SEC. I****TOP SECRET**

(SENDER WILL CIRCLE CLASSIFICATION TOP AND BOTTOM)

**CENTRAL INTELLIGENCE
INTER-OFFICE ROUTING SLIP**

FROM		TO	INITIALS	DATE
	DIRECTOR OF CENTRAL INTELLIGENCE			
	DEPUTY DIRECTOR			
	PERSONAL ASSISTANT TO THE DIRECTOR			
	EXECUTIVE OFFICE: EXECUTIVE DIRECTOR			
✓	EXECUTIVE FOR ADMINISTRATION & MANAGEMENT		103 90ct	
	EXECUTIVE FOR INSPECTION & SECURITY			
	ADVISORY COUNCIL			
	SECRETARY, NIA			
	CHIEF, INTERDEPARTMENTAL STAFF			
	ASSISTANT DIRECTOR, SPECIAL OPERATIONS			
	ASSISTANT DIRECTOR, REPORTS & ESTIMATES			
	ASSISTANT DIRECTOR, OPERATIONS			
	ASST. DIRECTOR, COLLECTION & DISSEMINATION			
	CENTRAL RECORDS			
<i>Chief, Pers Div, 4-11</i>				
<i>General Counsel</i>				

 APPROVAL INFORMATION DIRECT REPLY ACTION RETURN COMMENT RECOMMENDATION PREPARATION OF REPLY FILE SIGNATURE CONCURRENCE DISPATCH

REMARKS:

Please submit coordinated comments on proposed new draft as soon as possible. Additional cases will await publication of revised Instruction.

RESTRICTED**CONFIDENTIAL****SECRET****TOP SECRET**

RESTRICTED**D R A F T**
LTS-9 Oct 47

STATINTL

CENTRAL INTELLIGENCE AGENCY
Washington, D. C.ADMINISTRATIVE INSTRUCTION
NUMBER *14 Dec 47*

SUBJECT: Employment Review Board and Procedures

STATINTL

(This rescinds Administrative Instruction dtd 31 July 1947)

1. Sub-paragraph (c) of Section 102, National Security Act of 1947 (Public Law 253 - 80th Congress), is quoted below:

"Notwithstanding the provisions of section 6 of the Act of August 24, 1912(37 Stat. 555), or the provisions of any other law, the Director of Central Intelligence may, in his discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable in the interests of the United States, but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission."

2. This section was enacted to enable the CIA to maintain high personnel standards essential to a national intelligence agency.
3. To provide an impartial review, and advice to the Director in the just and equitable exercise of his discretionary power under the Act quoted above, an Employment Review Board is hereby appointed to consist of:

Executive Director	-- Chairman
Chief, Advisory Council	-- Member
Chief, ICAPS	-- Member
Executive for Administration and Management	-- Member and Recorder
General Counsel	-- Law member without vote
Executive for Inspection and Security	-- Advisor to the board without vote
Each Assistant Director	-- Alternate members to sit with the Board at the discretion of the chairman, should three regular members not be available.

4. a. Every case involving involuntary termination of a CIA employee will be forwarded by the head of the appropriate Office or Staff Section to the Chief, Personnel Branch, A&M, together with all applicable reports of

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- 2 -

investigation and other pertinent records.

b. If the Chief, Personnel Branch, determines that final administrative action by his office is not feasible, he shall immediately forward the record directly to the Board for its consideration.

c. At the time records are forwarded to the Board the Chief, Personnel Branch, will notify the individual concerned that he is suspended from duty under the provisions of this memorandum due to failure to meet the high CIA standards for its employees, and will include in the notice the following information:

- (1) The case will be considered by the Board within two weeks after date of the notice.
- (2) The employee may submit to the Personnel Relations Division, Personnel Branch, a written statement to be considered by the Board or a request to appear in person before the Board. No individual will be brought to Washington at government expense to appear before the Board.
- (3) Inquiries in connection with suspension notices should be made to the Chief, Personnel Relations Division, Personnel Branch.

d. Suspension notices will be sent by registered mail to the home address of the individual being suspended, requesting return receipt.

5. The Executive for Inspection and Security may refer directly to the Board any case arising within the scope of his functions. He will immediately inform the Chief, Personnel Branch, of such reference and the basis therefor, requesting suspension and notification of the individual concerned as provided by paragraph 4 above.

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-3-

6. ~~The~~ Chief, Personnel Branch, will ~~s~~ ascertain at the earliest practicable date, the names of suspended individuals who desire to make statements in person before the Board and will arrange a schedule for such ~~statements~~ ^{appearances} directly with the Board recorder.

b. ~~Written statements received from suspended employees, will be forwarded directly to the Board recorder.~~

7. The Board will give full consideration to each case, including voluntary written or verbal statements of individuals concerned, and such additional evidence as may be deemed necessary, and prepare a written recommendation to the Director. The recommendation will be signed by each voting member of the Board, noting concurrence or non-concurrence in each case. Any member ^{including} ~~and the~~ Law member and ^{the} Advisor may append an individual signed comment. The complete record of each case considered by the Board will be attached to the Board's recommendations for the information of the Director.

8. The Director's determination in each case will be final. If his decision is to terminate employment, notice of separation to the Civil Service Commission will state only that separation is accomplished by order of the Director under authority granted by sub-paragraph (c) of Section 102 of the National Security Act of 1947, without further amplification.

R. H. H.

7 Oct. 47

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DRJK.*

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RESTRICTED	CONFIDENTIAL	SECRET	TOP SECRET
(SENDER WILL CIRCLE CLASSIFICATION TOP AND BOTTOM)			
CENTRAL INTELLIGENCE INTER-OFFICE ROUTING SLIP			
FROM	TO	INITIALS	DATE
DIRECTOR OF CENTRAL INTELLIGENCE			
DEPUTY DIRECTOR			
PERSONAL ASSISTANT TO THE DIRECTOR			
EXECUTIVE OFFICE: EXECUTIVE DIRECTOR		✓ 7	
✓ EXECUTIVE FOR ADMINISTRATION & MANAGEMENT			105 708
EXECUTIVE FOR INSPECTION & SECURITY			
ADVISORY COUNCIL			
SECRETARY, NIA			
CHIEF, INTERDEPARTMENTAL STAFF			
ASSISTANT DIRECTOR, SPECIAL OPERATIONS			
ASSISTANT DIRECTOR, REPORTS & ESTIMATES			
ASSISTANT DIRECTOR, OPERATIONS			
ASST. DIRECTOR, COLLECTION & DISSEMINATION			
CENTRAL RECORDS			
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REMARKS: This will provide full quota of members under any circumstances, and will permit counsel to advise without having to vote. <i>✓ 105</i> <i>✓ Recommended approval</i>			
RESTRICTED	CONFIDENTIAL	SECRET	TOP SECRET

FORM NO. 36-26. PREVIOUS EDITIONS ARE NOT TO BE USED
 AUG 1947

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D R A F T
LTS - 7 Oct. 47

STATINTL

ADMINISTRATIVE INSTRUCTION
NUMBER

12/3/48

SUBJECT: Employment Review Board

STATINTL

Paragraph 3, Administrative Instruction dated 31 July 1947, is
amended to read:

"3. To provide an impartial review, and advice to the Director in
the just and equitable exercise of his discretionary power under the Act
quoted above, an Employment Review Board is hereby appointed to consist of:

Executive Director	--	Chairman
Chief, Advisory Council	--	Member
Chief, ICAPS	--	Member
Executive for Administration and Management	--	Member and Recorder
General Counsel	--	Law member without vote
Executive for Inspection and Security	--	Advisor to the board without vote
Each Assistant Director	--	Alternate members to sit with the Board at the discretion of the chairman, should three regular members not be available."

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7 November 1947

MEMORANDUM FOR THE EXECUTIVE FOR A & M

Subject: Revision of Employment Review Board and
Procedures Order

1. With reference to your draft of 6 November, I concur completely in the general provisions and consider it a considerable improvement over prior procedures. I have only the following comments:

(a) I have suggested a minor grammatical change in paragraph 3, upon which I place no great importance.

(b) In paragraph 4b(3)(e), the first sentence is subject to possible misinterpretation, as it conceivably could be read so that the "him" refers to the employee. This would infer that the Board might recommend directly to an employee that he resign. Such an interpretation, of course, is farfetched, but to forestall the possibility, I suggest:

"The employee may resign without prejudice at any time prior to final action by the Director, which action will be taken on the recommendations of the Board after completion of formal proceedings".

In the second sentence of that sub-paragraph, is it possible that the Director may wish to accept a resignation as his action, and provision should be made for such a situation?

2. Attached to the proposed Order is an unsigned and undated memo dealing with procedure of the Personnel Branch. It is assumed that this will be modified in accordance with the proposed Order. Also attached is a form of letter to be sent to employees so that they may check their wishes about appearance or submission of a statement. The form states, "Please check one", referring to the three situations. We have previously had several cases where persons wished to appear and submit written statements, and I suggest that the form state, "Please check as appropriate".

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Executive for A & M

-2-

7 November 1947

3. I wish to state that I concurred in the memorandum from the Chief, Budget and Finance Branch concerning the advance of annual leave prior to its submission.

STATINTL

LAWRENCE R. HOUSTON
General Counsel

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STANDARD FORM NO. 64

CONFIDENTIAL**Office Memorandum • UNITED STATES GOVERNMENT**

TO : Executive for Administration and Management DATE: 6 November 1947

FROM : Chief, Budget and Finance Branch

SUBJECT: Granting of Annual Leave in lieu of suspensions

In connection with the subject pertaining to the granting of annual leave to certain employees in lieu of suspending them pending final termination as to their future employment status, it is desired to set forth certain facts and suggestions.

The annual leave regulations provide in substance as follows:

- a. A Temporary employee cannot be advanced annual leave i.e., annual leave becomes available to such employees as it is earned.
- b. Advanced annual leave cannot be granted to a Permanent employee until he has completed his first year of service.
- c. A Permanent employee who has completed one year of service may be advanced annual leave at the option of the Agency concerned not to exceed the amount which he would accrue as of the end of the current calendar year. As of 31 December of each year, unearned annual leave must be liquidated by refund.

Experience has indicated that except in unusual and/or meritorious cases, it is advisable not to grant advanced annual leave. It is difficult in most instances to effect collection for such leave when it is not earned and in cases of termination, a claim against the employee's retirement fund cannot be processed by the Civil Service Commission until the employee makes an application for refund. Under present statutory restrictions, an employee who has had ten (10) or more years of Government service cannot have his retirement refunded and is entitled to the proceeds of the retirement deductions only when he reaches retirement age or death occurs.

The usual rule is that when an employee is to be separated or suspended, he is notified of the action 30 days in advance and remains in a duty status, or in an approved annual leave status (provided he has sufficient accrued annual leave to his credit) unless such action "would be otherwise detrimental to the interest of the Government, or would be otherwise injurious to the employee, his fellow workers, or the general public". In such cases, the employee should be placed on annual leave provided that he has sufficient annual leave to his credit; otherwise, he should be suspended (although for our purposes LNOP would be preferable) for such period or periods during the 30 days as may not be covered by accrued annual leave. (refer to CSC Personnel Manual, chapter S1-15).

When annual leave is advanced and an employee is terminated or resigns without liquidating the unearned portion thereof, the Certifying Officer is liable under existing Law for the amount of the over-payment. The lodging of a claim

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- 2 -

against the employee's retirement account with the Civil Service Commission does not relieve the exception taken to the Certifying Officer's account. Consequently it is not only somewhat unfair to expect the Certifying Officer to approve pay rolls covering advanced annual leave in those cases where there is some doubt as to whether or not the employee will return to duty, but it is difficult for such bonded Certifying Officers to conscientiously certify the pay rolls.

In view of the circumstances and restrictions as indicated above, it is recommended that only current accrued leave to the credit of an employee be approved and allowed to permit him to continue in a pay status in lieu of issuing a notice of suspension.

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[Redacted]
E. R. SAUNDERS
Chief,
Budget and Finance Branch

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UNCLASSIFIED	RESTRICTED	CONFIDENTIAL	SECRET
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REMARKS: <i>Concur Please arrange as with Col Ed [redacted]</i>			
SECRET	CONFIDENTIAL	RESTRICTED	UNCLASSIFIED

FORM NO. 30-4
SEP. 1947

UNCLASSIFIED	RESTRICTED	CONFIDENTIAL	SECRET
(SENDER WILL CIRCLE CLASSIFICATION TOP AND BOTTOM)			
CENTRAL INTELLIGENCE AGENCY OFFICIAL ROUTING SLIP			
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2	Deputy Director		
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REMARKS: Proposed changes to Employee Rev Board Procedure. <i>Comments attached DS</i>			
SECRET	CONFIDENTIAL	RESTRICTED	UNCLASSIFIED

FORM NO. 30-4
SEP 1947

STANDARD FORM NO. 64

CONFIDENTIAL**Office Memorandum • UNITED STATES GOVERNMENT**

TO : Deputy Director
FROM : Executive for A&M
SUBJECT: Employment Review Board

DATE: 3 November 1947

1. I concur in paragraph 1.

2. a. Do not concur. Board recorder should inform Personnel Branch, with instructions for restricted handling. We should continue to make the Employee Relations Division the main point of contact for these people, and we should not set up a separate administrative activity on the part of the Board. We should also continue to keep Office Heads advised of these actions.

b. I do recommend, however, that where we can we should indicate, in our written notification to individuals, broadly why we are considering their cases, such as:

Personal associations
 Indications of connections with subversive activities
 Indiscreet public comments

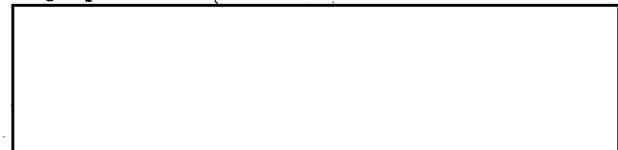
c. Individuals outside of Washington cannot be called personally except at own expense.

3. No employee will henceforth be put on LWOP status on this account. I gave instructions some time ago to handle all future cases on a leave basis. I continue to believe, however, that if we feel that we have sufficient basis to formally consider a case before the Board, and call for statements from or personal appearance of individuals concerned, we are not justified in permitting them to come to work until final action has been determined.

4. You and the Director must determine this. My personal reaction would be one of relief. Actually, it might be better to have the recording done by a non-member with no other interest in the proceedings. Suggest that we consider [redacted] for this purpose.

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**CONFIDENTIAL**

Changes in Employment Review Board.

1. Cases should be first referred to the Board to determine acceptance.
2. The Board, if it accepts cases, notifies the employee in writing of the fact that it has been alleged that he does not meet the ~~security~~ standards of CIA, and directs him to appear before the Board for a hearing.
3. Further action is much the same as at present, except I recommend that employee not be put on LWOP status unless, in consideration of Executive for I & S and the Board, a grave security risk would otherwise be entailed.
4. I further recommend that the General Counsel be the Recorder of the Board in addition to his duties as Law Member.

No.

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31 Dec. 1948

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CENTRAL INTELLIGENCE AGENCY
Washington, D. C.

ADMINISTRATIVE INSTRUCTION
NUMBER [redacted]

31 December 1948

SUBJECT Employment Review Board and Procedures

membership of the Employment Review Board announced by
paragraph 3, Administrative Instruction [redacted] dated 14 November
1947, changed as follows:

Executive	
Chief, Advisory Council	-- Chairman
Chief, ICAPS	-- Member
General Counsel	-- Member
Chief, Inspection and Security	-- Law Member and Recorder
Chief, Inspection and Security	-- without vote
Each Assistant Director	-- Advisor to the Board without vote
	-- Alternate members to sit with the Board at the discretion of the chairman should three regular voting members not be available.

R. H. HILLENKOETTER
Rear Admiral, USN
Director of Central Intelligence

DISTRIBUTION: All CIA Employees

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CENTRAL INTELLIGENCE AGENCY
Washington, D. C.

ADMINISTRATIVE INSTRUCTION
NUMBER [redacted]

31 December 1948

STATINTL

SUBJECT: Employment Review Board and Procedures

STATINTL

The membership of the Employment Review Board announced by paragraph 3, Administrative Instruction [redacted] dated 14 November 1947, is changed as follows:

Executive	-- Chairman
Chief, Advisory Council	-- Member
Chief, ICAFS	-- Member
General Counsel	-- Law Member and Recorder
	-- without vote
Chief, Inspection and Security	-- Advisor to the Board
	without vote
Each Assistant Director	-- Alternate members to sit with the Board at the discretion of the chairman should three regular voting members not be available.

STATINTL

[redacted]
R. H. HILLENKOETTER
Rear Admiral, USN
Director of Central Intelligence

DISTRIBUTION: All CIA Employees

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CENTRAL INTELLIGENCE AGENCY
Washington, D. C.

ADMINISTRATIVE INSTRUCTION
NUMBER [REDACTED]

31 December 1948

STATINTL

SUBJECT: Employment Review Board and Procedures

STATINTL

The membership of the Employment Review Board announced by paragraph 3, Administrative Instruction [REDACTED] dated 14 November 1947, is changed as follows:

Executive	-- Chairman
Chief, Advisory Council	-- Member
Chief, ICAPS	-- Member
General Counsel	-- Law Member and Recorder
	-- without vote
Chief, Inspection and Security	-- Advisor to the Board without vote
Each Assistant Director	-- Alternate members to sit with the Board at the discretion of the chairman should three regular voting members not be available.

[REDACTED] STATINTL

R. H. HILLERKETTER
Rear Admiral, USN
Director of Central Intelligence

DISTRIBUTION: All CIA Employees

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CENTRAL INTELLIGENCE AGENCY
Washington, D. C.

ADMINISTRATIVE INSTRUCTION
NO. [REDACTED]

2 November 1950

STATINTL

SUBJECT: Employment Review Board and Procedures

STATINTL

1. The membership of the Employment Review Board, announced by paragraph 3, Administrative Instruction [REDACTED] dated 14 November 1947, subject as above, and as amended by Administrative Instruction No. [REDACTED] dated 31 December 1948, is changed as follows:

STATINTL

Executive or Deputy Executive - Chairman

Any two of the following to be named by the Chairman for each case:

- Members

Assistant Directors, Staff Chiefs, and their deputies.

- Legal advisor and recorder without vote.

General Counsel or Assistant General Counsel

- Special advisor without vote.

Chief or representative of Inspection and Security Staff

(No individual shall sit as a member of an Employment Review Board convened to consider a case of an individual assigned to his Office or Staff.)

STATINTL

2. References in Administrative Instruction [REDACTED] to the "Chief, Personnel Branch, A&M" should read "Personnel Director".

STATINTL

FOR THE DIRECTOR OF CENTRAL INTELLIGENCE:



Executive

DISTRIBUTION: No. 3

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